IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 6058 of 2007(U)

PETITIONER:

R.KARTHIKEYAN,
SURVEY SRANG GRD.II (RTD), VADAKKEKANDATHIL,
PUTHENTHURA P.O., NEENDAKARA, KOLLAM.

BY ADV. SRI.K.SANIL KUMAR

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
PORT DEPARTMENT, TRIVANDRUM.

2. THE CHIEF HYDROGRAPHER, O/O HYDROGRAPHIC
SURVEY WING PORT DEAPRTMENT, TRIVANDRUM-10.

3. THE MARINE SURVEYOR,
HYDROGRAPHIC SURVEY WING,
PORT DEPARTMENT, KOLLAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 6058 OF 2007

Dated this the 28th February, 2007.

JUDGMENT

The petitioner while working as Survey Srang Gr.II retired from service. He filed a representation stating that the department had failed to give him the benefit of the third higher grade. When he approached this Court with the above grievance, this Court directed the Government to look into his grievance and take appropriate decision. The Government directed the second respondent to take decision regarding the claim of the petitioner and to report compliance to the Government. In pursuance thereof the second respondent has passed Ext.P6 order on 18.1.2007 fixing the pay of the petitioner in the time scale of Rs.8390-13270. The petitioner submits that his pay ought to have been fixed in the pre-revised scale on granting him the third higher grade and since that has not been done by the second respondent the petitioner is subjected to pecuniary loss.

2. Having heard counsel for the petitioner and Govt. Pleader for the respondents, I feel that the above grievance of the petitioner will have to be brought to the notice of the first respondent which has got the authority to pass appropriate orders after taking into consideration

the materials provided by the petitioner and the relevant Government orders on the subject. Rule 24 of the Kerala Civil Services (Classification, Control & Appeal) Rules 1960 confers powers on the Government and a corresponding right in the Government servant to bring such grievances to the notice of the Government. Hence, there shall be an order directing the first respondent to pass appropriate orders on representation filed by the petitioner as early as possible. If the representation is filed within three weeks from the date of receipt of a copy of this judgment, the same shall be considered by the first respondent and disposed of in accordance with law within two months thereafter. Writ petition is disposed of accordingly.

K.K.DENESAN
Judge

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